# THE VIRGINIA GAZETTE, AND GENERAL ADVERTISER.

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No. 1222 ] WEDNESDAY, JUNE 27, 1804. [VOLUME XVIII.


*By virtue of a Decree of the Court of the United States for the 5th Circuit in the Virginia district, bearing date the 3d day of December, 1803, in behalf of John Classell, against William Walker, James Walker, Merry Walker, and John Walker,*

*WILL BE SOLD,*

*to the highest bidder, for ready, at Kanhawa court house, on the 24th day of August next, the following Tracts of*

## LAND,

—VIZ—

ONE, granted to William Walker on the 3d of May 1786, containing 112 1-4 acres, on Elk river, a branch of the Great Kanhawa, about 6 miles from the mouth, oppofite to a furvey made for Leonard Cooper and Wm. Morris, at the mouth of the fecond creek that empties into Elk on the South fide.

One other Tract, granted to faid William Walker on the 26th May 1788, containing 500 acres, on the head waters of the left hand fork of a creek emptying into Elk river on the North Weft fide, at the fhallow ford, about 4 or 5 miles from the mouth of faid river, adjoining a furvey made for faid Walker.

One other Tract, granted to the faid William Walker on the 27th of May 1788, containing 200 acres, on the North fide of Elk river, the third bottom above the mouth of Sandy Creek.

One other Tract, granted to the faid William Walker on the 26th May 1788 containing 770 acres, on Elk river, on the South Eaft fide, about a mile from its mouth.

One other Tract, granted to the faid Wm. Walker on the 27th of May 1788, containing 100 acres, on the North fide of Elk river, the fourth bottom above the mouth of Sandy Creek, on the fame fide of the river.

One other Tract, granted to the faid Wm. Walker on the 26th May 1788, containing 1000 acres, on a left hand branch of a creek emptying into Elk river on the North Weft fide, oppofite to the firft ifland on faid rive.

One other Tract, granted to the faid Wm. Walker on the 26th of May 1788, containing 200 acres, on the South fide of Elk river, the third bottom on the river above William Arbuckle's land, oppofite the mouth of Sandy Creek.

The whole of the above mentioned land, at the time it was furveyed, lay in the county of Greenbrier; all of which will be fold, or fo much thereof, as fhall be fufficient to raife the fum of four thoufand one hundred and ten dollars, 38 cents, with intereft on 2798 dollars 78 cts. at 5 per centum per annum from the 22d March 1799; and

The coffs of fuit and carrying this decree into effect.

BENJAMIN MOSBY, Acting Comm'r.

June 7th, 1804. (tds.)

## Valuable Land for Sale.

THE Subfcriber offers for fale 2442 Acres of Land, lying on Roanoke River, in the county of Mecklenburg, and generally known by the name of the Occoneechee.

The uncommon fertility of this Tract of Land, and its advantageous fituation, by which it is convenient to the improving navigation of the River, together with the liberal credit, on which it is to be fold, muft make it a very important object to thofe who are inclined to purchafe Lands. The quantity of low-grounds in the Occoneechee Iflandf, which is feparated from the main-land by a fmall and narrow ftream, is 364 Acres, and on the main-land adjoining, about 150 Acres, all of which is of excellent quality. By far the greater part of the remainder of the tract is very rich, being well adapted to the cultivation of tobacco, corn, wheat &c. A large proportion is in woods, and heavily timbered. The whole tract is at prefent divided into three tenements, leafed to feveral tenants, whofe leafes will expire in three years from the firft day of January next. The tenements are in a tolerably good ftate of improvement, and the rent amounts to 114l. per annum. The fubfcriber will fell the whole together, or either of thofe tenements feparately, as may beft fuit the purchafers. The terms of fale are one fixth part of the money to be paid on the firft day of January next, and the balance in five equal annual payments, bonds and good fecurity being given, and the punctuality of payment enfured by deeds of truft on the land. On the Occoneechee Ifland, and at the end of Baker's Iflandf, oppofite to it, are two fifheries, belonging to the fubfcriber, and to be fold with the land, which have been accounted the beft on the River, and with the labour of a few hands a fhort time, might now be made valuable. A farther defcription of this land and its improvements is fuppofed to be unneceffary, as perfons defirous of purchafing will naturally chufe to view it, and judge for themfelves.

If the whole tract, or any of the tenements fhould not be difpofed of by private contract before the 17th day of September next, it will be fold on that day, being the 3d Monday in the month, if fair, if not, on the next fair day, at the ftore of Wm. Birchett, & Co. adjacent to the premises, at public fale, to the higheft bidder, on the terms above mentioned. An accurate plot of the land will be fhewn, and unqueftionable titles made to the purchafers by

WM. MUNFORD.

*Richland, Mecklenburg County, April 11th,* 1804. } *tf.*

## The Court of Huftings of the city

of Richmond have eftablifhed the following rules concerning applications for licences to manufacture Tobacco within the faid city, viz.

"All applications to the faid Court, for licences to manufacture Tobacco, muft be made one month at leaft previous to the time of granting thereof, and the name or names of the applicant or applicants, entered on the records of the faid Court, and inferted in all the newfpapers publifhed in the city of Richmond."

☞ In purfuance whereof, Public Notice is given, that from the records of the faid Huftings Court, it appears that Daniel Triplett and John Widewilt intend to apply for licence feverally to manufacture Tobacco within this city.

By order of the Court,

ANDREW STEVENSON, D. C.

June 11ft, 1804. 19July

## At a Court of Quarterly Sessions

Continued and held for Henry county, the 1st day of May, 1804.

*John Sowder, Sen. Complainant,*
Against
*Joseph Miller, George Rivers, and John Phillips, Defendants.* } *In Chancery.*

THE defendant John Philips, not having entered his appearance and given security according to the act of aflembly and the rules of this court, and it appearing to the fatisfaction of the court, that he is not an inhabitant of this ftate: On the motion of the complainant by his counfel, it is ordered, that the faid defendant do appear here on the firft Monday in October next, and anfwer the bill of the complainant; and that a copy of this order be forthwith inferted in fome one of the Virginia Gazettes for two months fucceffively, and pofted up at the front door of the courthoufe of the faid county.

A Copy---Teffe,

JOHN COX, C. H. C.

## NOTICE

IS hereby given, that a PETITION will be preferred to the next General Aflembly to pafs a law, to confirm to the fubfcribers refpectively, the title to feveral parcels or lots of Land, lying on the eaft fide of Gillies Creek, immediately below the city of Richmond, in the county of Henrico, and whereof they are feverally poffeffed, the legal title to which was in John Hague, at the time of his death.

JOHN LESTER.
JOHN LIGGON.

June 10th, 1804.

## Bacon Hams.

THE fubfcriber has received a parcel of very fine HAMS, which he will fell on moderate terms. Applp at Meffrs. Wm. Brown & Co's.

James Brown, jun: 93

June 16th, 1804.

*From the* Frederick Town *(Maryland)* Herald *of March 24th,* 1804.

### COL. BUTLER's TRIAL.

*(Concluded from our laft.)*

I now proceed at once to put myself on trial under the second specification of "Disobedience of Order," the words following—

"2d. *For disobedience* of the order of the President of the United States, communicated to him (the Colonel) through the regular conftitutional channel by the Inspector of the army, on the 9th of April, 25th of May, and 8th of June 1802, as will appear from the letters of the Colonel addreffed to the Secretary of War, May the 18th (meaning the 19th) and to the commanding General the 7th and 19th of Auguft, 1802, and by other teftimony."

On the manner in which this specification is made, it might juftly be remarked, gentlemen, that it is in fact no specification at all; that it merely charges in general terms a disobedience of order communicated in certain letters referred to, to be proved by other letters alfo referred to, when in truth all thofe letters together contain a great multiplicity and variety of points, not one of which is particularly designated; and that therefore, the specification wants all the preciseness which could be the only use of specification in informing me to what my defence is to be applied, and in enabling the court to make up their judgment. But I shall not shelter myself behind any evasion, and I shall therefore let it be underftood, that it is meant to charge me with disobedience in not organizing the troops under my direction, agreeably to certain orders—and in proceeding to visit my family in Pennsylvania, without sufficient leave. On a charge like the first (on which the second alfo will be found entirely to depend) it would surely not be unreasonable, gentlemen, that the burden of proof, as in all other cases, should reft on the accufing party; and it will surely be considered both fortunate and favorable, that there is not only an absolute want of any serious proof whatever on that side against me, but that I should be able on my part to adduce ample teftimony that my conduct has been perfectly correct and blameless. This ability I deem no small share of good fortune: For you must all be sensible, gentlemen, from the nature of military service in general, from the peculiar nature of that service I was ordered to perform, from the length of time it neceffarily took, from the different movements, the various correspondence, and the hurried communications it occafioned, as well as from a nameless variety of circumstances attending the execution of every new and difficult system, that any honeft man in my situation might be innocent, and yet under so brood a charge might not have preferved every evidence to prove himself so. Liberal in his intercourfe, he relies on being treated with reciprocal fairness. Just in his own dealings, he prepares not for injuftice,—guileless himself, he suspects not design in others: And thus, "good easy man," while regardless of himself, he may be devoting his whole time and attention to his public duty, it may turn out that he has thus been neglecting or depriving himself of the very means to repel a subsequent accufation for breach of duty, and been putting into the hands of his adverfary, the very weapons which are afterwards used to destroy him. This happily, however, is not exactly my fate. Happily, it has been in my power to produce on this occafion every paper and every document, which it could be thought incumbent on me to produce for my juftification. They have been read to you and filed, gentlemen, from number 1 to 30, inclusive, besides other writings, the map and rolls not marked. Taken together, they form a chain of unexceptionable and irresistable testimony in my behalf, without leaving any thing more necessary for me to do, I humbly apprehend (even if this can be necessary) than to shew in a few words the general connection of the whole, and to direct your obfervation to some of the most prominent links.—By letter from the inspector of the army, bearing date the 9th of April, I was instructed to organize the troops, mentioned in the following clause of an inclosed order from the secretary of war, bearing date the 29th of March, ult. within the periods, and agreeably to the principles established therein, —to wit:

"Those [meaning the troops] in Tennessee and at Wilkinsonville, on or before the 30th of April—those on the Mississippi, on or before the 15th day of May—and those on the Mobile, on or before the 31st of May, 1802."

This order, and the letter enclosing it are marked 1, 2. By proceeding a step further to no. 3, which is my answer of May the 4th, to the secretary of war, it will be perceived, gentlemen, that the order for organization, so far as relates to the periods limited, had defeated itself, or rather that when received by me, it was impossible to be performed, the time as to the first organization having already elapsed altogether—and as to the others, so much of it having elapsed, as to prove necessarily too short:—That is, the order had not reached me till the 2d of May, which was two days after the time at which it directed that the organization was to be completed in Tennessee and at Wilkinsonville, only thirteen days before the same completion was to take place on the Mississippi, and left but twenty-nine days for the organization of the troops on the Mobile. To this impossibility, which you will fully comprehend from knowing the nature of the distances between these several posts, if you add, gentlemen, that the paymaster, without whom nothing could be done, did not arrive at the cantonment till the 18th of May, three days after the period of organization allowed for Fort Adams, it must be admitted that I can only be accountable to shew that the organization were all completed as soon and as well as they could be, without being tied up to the periods before specified, or to any limited time whatever. Neither, gentlemen, in investigating the subject, are you to consider me confined to the letter of my first instructions—because it was found impracticable to execute the order in all its parts, in consequence of a want of means and of innumerable difficulties, which were detailed in my letter to the inspector, of the 4th of May, no. 4, (and which are further, stated in my letter of the 12th, No. 8,) in reference to which, the order of the 19th of April was afterwards softened down, and I was left completely at large, by another letter from the inspector, of May the 25th, no. 6, containing the following passage:—

"It was impossible at this distance, and with the limited view we had of the situation we had of the several detachments serving on the Ohio and Tennessee, to prescribe specifically for every case and circumstance which should arise in carrying into effect a new organization of the troops, and of course nothing was said on the several points mentioned in your letter of the 4th inst. *thereby leaving to you the exercise of a sound discretion,* to obviate existing difficulties."

Under the confidence thus reposed, gentlemen, and the latitude thus given, directing your attention to the organization in Tennessee, which is the first in order, I presume, before you would convict me of disobedience, you would require it to be demonstrated by my persecutor, that in the course of my proceedings thereon, I ever did depart from "*the exercise of a sound discretion.*" Such an attempt would indeed be curious, because it was not his "*discretion,*" but my own "*discretion*" by which I was to be directed; and wherever I did the best according to my own "*discretion,*" and did not wilfully err, I certainly stand excused, even if it could be proved that I was at any time mistaken in judgment. But even this cannot be proved:—For, I think you will be satisfied, that I proceeded in the organization in Tennessee with all the dispatch and regularity practicable, in evidence of which I beg leave to refer the court to duplicates of my orders to the several officers on that station, nos. 9, 10, 14, 15, &c. and the two muster rolls of the 22d of May and 2d of June, 1802, which have been laid before you. Having done this, I was next to attend to the disposition of the troops so organized, agreeably to further arrangements in a letter immediately from the secretary of war, of April the 16th, no. 12, which in some respects indeed changed and superseded the first order. The part of this letter, to which I now allude, is the following—

"*War Department, April* 16, 1802.

SIR,

Since the letters were written, of which inclose you duplicates, information has been received from General Wilkinson that several alterations have been made in the position of the troops on the Ohio and Tennessee, in consequence of which difficulties may arise which had not been foreseen, and to obviate which, you will be pleased to direct that the company of Captain Johnston, and the detachment of Captain Purdy's company, when formed agreeable to the orders of the adjutant and inspector in his letter to Lieutenant Whipple, should take post on the road between Nashville and Tennesse, and proceed in the business for which the troops were ordered there, until relieved or otherwise ordered by the commanding officer of South West Point, and that the company of Captain Purdy be completed from the fourth regiment. The company of Capt. Lockwood and a subaltern and thirty non-commissioned officers and privates, to be transferred from the fourth to one of the companies of the second regiment, to be stationed at Fort Adams, must remain on the road between Tennessee and Nashville, until they can be relieved by one captain, two subalterns, a suitable number of non-commissioned officers, and one hundred privates from Fort Adams."

Before proceeding to relate how the arrangements in the foregoing letter were carried into effect by me, it is proper to explain that from the position pointed out by the secretary, to be occupied by the troops when formed, was led to suppose that there was inadvertently an error in the letter, in naming *Nashville* instead *Natchez*, as the point intended from which the last mentioned company were to commence their labors—for reasons which were immediately notified in my answer to the secretary, of May the 19th, no. 13, of which the following is an extract—

"You will pardon me, sir, in observing that I do not perfectly comprehend the disposition pointed out for Captain Lockwood's company and the thirty non-commissioned officers and privates, which you have ordered to be transferred from the fourth to one of the companies of the second regiment to be stationed at Fort Adams, as you direct that they shall be stationed on the road between Tennessee and Nashville, until they can be relieved by one captain, two subalterns, a suitable number of non-commissioned officers, and one hundred privates from Fort Adams. From the position of the post, sir, from which the relief is to be ordered to relieve them, a doubt arises in my mind that your intention was to fix them between Natchez and Tennessee, and that the said company and detachment should descend the Mississippi to the Bayon Piere, or to the place where the troops in that quarter had been at labor, and there re-commence opening the road towards Tennessee, otherwise I cannot see how they are to be relieved from Fort Adams."

According to my opinion, expressed in the foregoing communication, with which was transmitted a map of the road from Nashville to Tennessee already inspected by you, gentlemen, it only remains for me briefly to recapitulate,—that I continued to prepare craft for the movement of the troops as soon as ordered; that I set the troops to open the public road from the Forty Eight Mile tree to the Tennessee river; that the officer commanding the working party gained the river on the 6th of July, where he received my orders to return to the cantonment, 28 miles in advance of Nashville, to rest and refresh the troops; that I then caused a survey of the road to be completed from Nashville to the said cantonment, and made further arrangments for finishing that part:—My instructions to Captain Purdy, of the 25th of May, to recommence on the road, have been already referred to as no. 15; and you have also had the duplicate of my orders to the officer on command, no. 25, of the 2d of August. On the 7th of the same month, it will be moreover found, that a large boat was prepared; but, having received no further instructions for the movement of the troops, and the Cumberland river becoming extremely low, I ordered the arms and equipments of the disbanded troops to be put on board, as well as all other public stores, and directed an officer to fall down the Cumberland river with the boat, below a difficult pass, called the Harpath Shoals, over which the boat would manifestly have not been able to get, if longer detained, and there to wait orders from the honorable the secretary of war. Thus fully and faithfully was the first part of the order for organization, and every other instruction connected with it, carried into effect and respectfully obeyed, so far as it could depend upon me. Let us next see, what was done under the other part of the order directing the organization on the Mississippi and Mobile, for the completion of which it seems in me the first place to be objected that I should have proceeded to Fort Adams in pursuance of the sixth paragraph of the inspector's letter, of the 9th of April, no. 2, inclosing that order. The paragraph is in these words—

"You will perceive the necessity for your hastening to Fort Adams with all possible expedition, in order to carry these arrangements into full and prompt effect—but if any unforeseen circumstance should prevent from doing so, you will please commit the trust to a discreet officer to be retained at that post, and furnish him with necessary instructions for his government, and will follow him with all practicable expedition."

To remove the objection raised, and to satisfy yourselves, gentlemen, that my not going in person to Fort Adams was not a disobedience of this paragraph, it will be sufficient to ascertain that "unforeseen circumstances" had arisen not only to prevent my departure at the time, but also to keep me from following after. Chiefly then "unforeseen circumstances" had arisen,—in the total want of craft and means of transport on the Cumberland river;—in the disperfion of the troops and public stores, the former having by the command of the General, ascended the Tennessee river, from Wilkinsonville, above the mouth of Bear creek, a distance of three hundred miles from the place where the secretary of war must have supposed them, when this paragraph was written; and in other causes of perplexity, which were all announced to the inspector in my letter of May the 4th, no. 4.—That these "circumstances" were "unforeseen," there is the best possible evidence—for they were expressly so admitted in the answer from the inspector, before recited, of May 25th, no. 6—in which with particular reference to, and in consideration of those "circumstances" as "unforeseen," I was left to "*the exercise of a sound discretion,*" to obviate existing difficulties." When, independent of all this, other "unforeseen circumstances" and "difficulties arose, such as were also announced in my letter to the inspector, of May the 12th, no. 8;—when too in the positive order for the organizations, by which "at all events the whole were to be completed before the first of June," it was made my first duty to complete the organization in Tennessee; when in doing this there were so many impediments and obstacles to encounter,—the non-arrival of the paymaster,—the necessity of transporting by land the money to pay the late 2d regiment from the cantonment of the late 4th regiment, a distance of near one hundred miles, thirty-six of which had not as yet been opened; the derangement of the quarter master general's department, under the law of the 16th of March, 1802; and the condition of the contractor's department, incapable of making the necessary provisions, besides the other matters enumerated, it must be plain and obvious to you that I could not in the nature of things, without a palpable violation of the spirit of my instructions, quit the quarter I was then in, to superintend Fort Adams; and that busied as I continued to be in Tennessee, as well in regard to the operations on the road, as in fixing the troops when organized in their respective destinations, there remained no alternative but to dispatch "a discreet officer" to Fort Adams, committing and leaving the trust there to him. This was all I could do;—this, gentlemen, you must be apprised, is frequently all an officer, though directed to organize, or do any other act, can do, and which is often done, perhaps, without the officer himself stirring out of the garrison: and this was what, in obedience to my directions, and in "the exercise of a sound discretion," I did do. On the 26th of May, which was as soon as possible, after the troops of the late 4th regiment were organized, Captain (then Lieutenant) Swaine proceeded to Fort Adams to organize the troops on the Mississippi and Mobile, under my order of the same date, no. 19, by which he was "furnished with the necessary information and instructions for his government," carrying with him also my orders to the commanding officer at Fort Adams in my letter dated the same day, and marked no. 18. On the 24th of June, the 9th and the 22d of July, as you have seen by his three letters, numbered 20, 21, 22, Captain Swaine wrote to me, giving an account of the progress and execution of his work; and on the 7th of July, he had also addressed a letter to the inspector, a certified copy of which is no. 24, announcing that under my directions he had been engaged in and had then completed "the organization of the troops in that quarter,"—in confirmation of which, you have likewise had before you, gentlemen, the muster rolls of the 30th of June, and 31st of July, 1802. From all which, it is clear, that I have not been guilty of disobedience to the order in the inspector's letters, of the 9th of April, and 25th of May, 1802, nos. 2 and 16, first mentioned in the second specification, and which relate entirely to organizing the troops.—Equally fair do I stand, gentlemen, as to the other letter of the 8th of June, quoted in the specification, and which concerns my leave of absence to visit Pennsylvania; for I think you will be of the opinion I have already expressed, that the charge on the latter score must depend entirely on the former. This may be explained by a few words. On the 4th of May, 1802,

...addressed to the honorable the secretary ... after calling his attention to my ill health and the situation of my children, which would even have rendered my being placed on the list of arranged officers, preferable to the honor conferred on me by the executive in my promotion to the command of the 2d regiment, I solicited permission at any rate " to return on furlough to Pennsylvania as soon as the organization of the troops on the Mississippi could be completed, and the necessary arrangements made for Fort Adams and its dependencies." At the time of writing this letter, supposing that the organization in Tennessee would have been much sooner completed, I had intended, if retained in service, to proceed by land to Fort Adams myself; but the Tennessee organization having been so much delayed by the causes and in the manner before mentioned, and the state of my health indeed rendering it altogether impracticable, I was constrained to detach Captain Swain, as just stated, to perform the duty in view at Fort Adams. In another letter to the honorable secretary, of May the 19th, no. 13, after giving him every information on matters of public import, I again solicited his " permission to return from the place (I then was) to Pennsylvania," a step now rendered absolutely necessary to me, for the purpose of restoring a constitution, impaired by old wounds and exhausted with fatigue of providing for the education of my children widely dispersed, and arranging my private affairs, embarrassed and neglected by my long absence. When writing the last letter, you will observe, gentlemen, that I had not yet received an answer to that of May the 4th, which did not reach me indeed till about the 20th of June, when I received one from the inspector, no. 17, dated the 25th of May, noticing and granting my application in the following terms:

" But considering your precarious state of health, the situation of your children, and your long service, he (meaning the secretary of war) is willing to indulge you with a reasonable relaxation; and he therefore consents that so soon as you have completed the organization of the troops in the Mississippi Territory, and furnished the next officer in rank with the necessary information and instructions for his government, you return to Pennsylvania, where you will be permitted to remain for the space of three months; after which, you are to return to Fort Adams, and resume the command of that post. It will be necessary for you to notify this office of the day of your arrival in Pennsylvania, and of your place of residence while there, that the necessary information may be given to the secretary of war, and the commanding general."

Having thus, gentlemen, obtained permission to return to Pennsylvania on certain conditions precedent, which conditions were fulfilled on my part—that is, every thing having not only been finished and provided for, in Tennessee, but " the organization of the troops in the Mississippi Territory being also completed, and the next officer in rank being furnished with the necessary information and instructions for his government," which were the only requisites in the inspector's letter, of May the 25th, to be complied with before I could depart, I then considered myself, gentlemen, under the permission in that letter, fully authorised to proceed to Pennsylvania. In pursuing my journey, the secretary of war surely could not have intended, gentlemen, that I should take Fort Adams in my way, solely to add some thousand miles to my travels, without any other end whatever than merely obliging me to enter the Mississippi Territory, when too it was my express wish to avoid so doing, from my ill health and anxiety which had been the chief inducements for my asking and his granting the permission at all. To imagine that such could have been his intention, would be to cast the unworthy reflection that he had knowingly and wilfully designed to deprive me of the benefit of his own grant. This could not have been the case, nor indeed have I ever at the time, or since, heard from the secretary any complaint whatever, as to the route taken on my return. But it is said, however, I might have complied with the requisites in my leave of absence, of the 25th of May, before I left Tennessee, there were other requisites in a subsequent letter from the inspector, of the 8th of June, referred to in the 2d specification, with which I did not comply. Why, gentlemen, even this can hardly be verified, though it could not affect me if it were. The letter of the 8th of June, says—

" In granting permission for you to return to Pennsylvania, the secretary of war does not mean to interfere with the arrangements of the general, to whom you had previously written on the subject, and of course, if you should receive the general's answer before you leave the Mississippi territory, you are to be governed by it, as fully as if nothing had been done on the subject by the secretary of war. If you should not hear from the general, you are to make him acquainted with the circumstances which have induced the secretary to grant you this indulgence."

Now the fact is, that I did not hear from the general before I left the territory, as appears by my letters to the general of the 7th and 19th of August, Nos. 26, 27, the very letters referred to in the specification as testimony against me, that I had actually made the general acquainted with the circumstances under which at least I had asked to induce the secretary's indulgence; so that substantially the conditions in the letter of the 8th of June were anticipated. But were it altogether otherwise, there would be the best reason in the world for my not conforming before my departure to the letter of the 8th of June, which is that the letter itself before then never came to hand—that I left the country, as you may discover by my last letter in August to the gen. I was about to do, a day or two after the 19th of that month; that the letter itself had been sent to Fort Adams, from which it was forwarded to me by captain Swaine—and, the truth is, it never did overtake me till I reached the Falls of the Ohio. Hardly then can it now be admitted, gentlemen, as a document to prove my disobedience to an " order communicated through the regular constitutional channel by the inspector of the army." Indeed it is difficult to conceive what document can possibly be relied on: surely none sufficient has been produced, to substantiate that charge.—Nor can it seem otherwise than strange, that one article of my arrest by the general should be for a disobedience of order coming from the secretary of war, when the secretary himself has never stated to me or avowed the least complaint whatever. As soon as I got to Pittsburg, in pursuance of the direction in my leave of absence, I immediately wrote to the inspector the original of No. 28, dated the 3d of November, 1802, notifying him of my arrival in Pennsylvania, and of my intention to proceed directly to the town of Carlisle for the purpose of meeting my family, mentioning at the same time the favorable issue of an abscess formed in my liver. This letter was answered on the 28th of the same month, see No. 29, and I was congratulated on my " recovery from the dangerous and painful indisposition which had so long afflicted me." Remaining in Pennsylvania near two months afterwards I received another communication of January 12, 1803, direct from the secretary of war himself, marked No. 30, which merely signified that " the situation of affairs at present demanded my immediate attention at Fort Adams," without one syllable of doubt or censure, as to my previous conduct. And surely if he had thought my conduct required investigation, if he had supposed himself I had been guilty of any disobedience to his orders, communicated through the inspector, he would have instituted an enquiry at once, and would neither have urged or suffered me to set off for Fort Adams, merely to be there arrested and instantly ordered back again to the state of Maryland for trial, a distance by land and water of more than four thousand miles!—This is not to be supposed, and in looking for the true cause of my arrest, we can again only resort, as I began with remarking, to the eager and impatient wish of the commander in chief to impose on me a compliance with his order for cutting the hair of the 30th of April, 1801, and to his consequent hope that in the lapse of two years since the date of that order, there were to be found materials, which might either be skilfully fashioned, as an engine to aid and compel the operation of that order, or be worked up into other more sounding charges, in order to give an adventitious importance to the real cause of offence. With this view, a correspondence was immediately opened on my arrival at Fort Adams, in which, called unexpectedly to account, and confiding chiefly in the use of my memory, it was certainly not the general's fault if something was not drawn from me, involving or committing myself, in the very letters which have been accordingly bro't forward as proof against me upon the present trial. But the whole subject is before you, and you, gentlemen, can make your own reflections.

With respect to the 3d and last specification, " for neglect of duty in not descending the Mississippi to take command at Fort Adams, &c. but proceeding to Pittsburg with a military commission on private business and without permission, &c."—I need not answer it by any other proof or argument but by referring you to such as have been applied on the preceding specification. By this I mean, gentlemen, that every part of the third specification, material to be noticed by me, that is, all of which relates to my " not descending the Mississippi but proceeding to Pittsburg," has been already answered, and I trust satisfactorily explained and cleared away by what I have had to urge on the 2d specification, by the permission which I have insisted on, and the perfect performance I have shewn of every thing first required to be done before availing myself of that permission. Another subject however occurring to the general since his letter of arrest, purporting to inform me of every charge to which I was to prepare my defence, has been drawn forth in the present specification—with what degree of fairness you can judge. But on this new point, which respects my " proceeding *with a military commission* on private business," no testimony whatever of any import has been offered, and you must of course acquit me, it is not material for me to offer any thing on my part. Had it been material indeed, that is, were the fact itself proven, I might perhaps have referred you in excuse of my letter of May 19, No. 13, requesting leave of the secretary of war to take with me " a small crew," I might have contended that by his not denying this request, or making any objection in the subsequent communications, I was left to suppose that the permission to go in his answer to my previous letter of May 4th, included in it also a reasonable permission, as to the usual and necessary means of going; and I might moreover, gentlemen, have thrown myself with safety on your own observation and experience, your candor and liberality, to pronounce on the credit and effect of such a charge. But as the fact itself has been proved or admitted, it would be useless to occupy your time by dwelling on that part of the last specification, which must of course fall to the ground, as it has not the support of evidence. Yet considering the ungenerous terms in which it has been couched, and the manner in which the whole of it may go forth to the world, I cannot forbear adding, gentlemen, that the whole army can say whether or not my character as an officer has been that of one, prone to abuse the public confidence, apt to sacrifice the public interest to his own ease, habituated to carelessness and waste, to idle indulgence, to improper parade, or unauthorised extravagance. Such I trust have never been my faults—Such I will not lay to the account of any man, because even if I could, which—" pardon me, I do not mean to say"—it would be no justification to myself, nor is there any dignity in recrimination. No example can sanction error—there is no right of proscription to impropriety—and it would be a sorry consolation to me, that if I have done amiss, others have done amiss before me.—But what I am, gentlemen, you will decide. Unconscious of wrong, I cannot allow that any earthly tribunal could degrade me in my own eyes—The old oak may be broken, but it cannot bend—Yes, though a stranger to the language of supplication, though I have flattered no man or set of men, though I have not courted power, nor been the instrument or dupe of any party, for your determination, gentlemen, as for the opinion of my brother officers, whatever it may be, I shall entertain every proper respect and feel every becoming solicitude—In your own reputations, I hold a sacred pledge for the preservation of mine, and I rely with the fondest confidence on the integrity and discernment, the spisit and justice of this honorable court. Unused to the solemnities of such an assembly, unpractised in that knowledge or that eloquence which may have been displayed on similar occasions, having never since the revolutionary war even been a member of a court martial, and having never before appeared in the character of a prisoner, I have neither skill to confound nor ingenuity to delude—I appear with no arts but the arts of truth. I present no other shield to blunt the arrows of resentment or the edge of persecution. With myself it is indeed some comfort to reflect, that twenty-eight years ago I entered into the service of my country, and these are the highest and first crimes ever imputed to me. Yet, gentlemen, I, who am denounced as having without proper permission left a trust unfinished in time of peace, never left my post in the time of war and the hour of battle:—I, who am arraigned with the crime of not parting with my hair at the general's pleasure, have never yet refused parting with my blood at my country's call. Considerations like these, I confess, are a gratification to me, and even in the worst extremity, under the evil of your disapprobation, gentlemen, charity might possibly admit them as some atonement. But I apprehend no such evil, and I ask for no undue allowance. The standing of an old officer is hardly earned, and it is not lightly to be dealt with. A soldier's honor is dear, and you will know how to cherish it. His good name is often his chief inheritance, the best legacy he can bequeath to his children, and you I am sure feel no wish to trifle with it. Sitting over me in doom you now represent my country: That country I have frequently fought for, and have long and faithfully served. I am not guilty on the present charges—I have never deserted her, and she will not now desert me. I claim from her impartial right; and through your hands, Mr. President and gentlemen, I hope to receive it administered with firmness, and with that graciousness which enhances every act, and equally inspires and perpetuates esteem.

THOMAS BUTLER, Colonel
2d Regiment of Infantry.

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NEW-YORK, June 18.

On Saturday morning, Jerome Bonaparte, his lady, and their suite, embarked on board the frigate La Didon, which was to have sailed immediately for Europe in company with the Sybille; but a strong headwind springing up, the vessels did not get under way.

On the same morning, the British frigate Cambrian, capt. Bradley, of 44 guns and 300 men, and the sloop of war Dricer, capt. Lyall, mounting 18 carronades, anchored in the Narrows, in 7 days from Halifax. They left at Halifax the ship Leander, of 50 guns, repairing with all possible expedition, and it was supposed would be dispatched for this port immediately.

The French frigate La Didon is remarkable for being the swiftest sailing vessel in the navy of the republic, and for having " carried the destinies of France," when the First Consul escaped from Egypt.

## FOREIGN INTELLIGENCE.

From Greenock papers to the 25th April, received at the office of the Mercantile Advertiser.

### LONDON, April 17.

The journey of Madame Bonaparte, mother of the first consul, to Rome, at the present conjuncture, is a circumstance which may give rise to various conjectures, especially as she was attended with a strong guard, and seemed in such haste that she would not to receive the congratulations of the public functionaries.

According to letters from Paris, an address has been presented to the first consul by the conservative senate, praying him not only to name his successor, but to take upon himself a higher title than he has yet assumed, and to make the same hereditary in his family.

The Gazette de France of April 3d says, " The public funds have risen since the day on which the senate in a body presented an address to the first consul, though the object of it is not exactly known."

The preparations for invading this country are now in such a state of forwardness, that the attempt may be expected to be made in a very short time.

April 20.

We this morning were favored with a note from a gentleman who has just escaped from France, having left Dieppe on board an American ship homeward bound on Friday last, and landed on the coast of Dorset from an open boat on Monday. He states, that the army encamped along the coast of Picardy have begun to manifest great discontent at the delay, which has taken place respecting the invasion of this country, which they have been assured three several times in the course of 6 months would certainly be put in execution at a given period. The middle of November was the first time mentioned, the last week of January the second, and the third the middle of March, since which the activity of the preparations has considerably relaxed, except in what regards the exchanges of troops, above twenty battalions of whom our informaant assures us, were ordered into the interior during the period of his stay on the coast, which was about a fortnight. In regard to the rumors of insurrections, &c. in Paris, he says they arrive daily; and though perhaps altogether unfounded, they are generally considered as strongly expressive of the wishes of the people, which are every where explicit in favor of a peace with England.

In the concurring opinion of many eminent medical men, we have had an opportunity of consulting, there is in the PROCES verbal in the Moniteur internal evidence to prove that gen. Pichegru did not, and could not commit suicide. The Moniteur account alledges that he made use of a piece of wood, which " he turned as often as he tho't necessary, to put a stop to respiration." This piece of wood, therefore, acted in the nature of a tourniquet. Medical men know very well that to have procured death in that manner it would have been necessary to have increased the force and pressure of the tourniquet, and that the greatest degree of force would have been necessary just before the cessation of life. In the same manner, to exhaust an air pump requires an increasing degree of force as the pump becomes more and more exhausted. Now how can any man suppose for a moment that general Pichegru could apply this increasing force when his own strength must of necessity have been decreasing? And as the greatest exertion would have been necessary when he must have had the least, it remains for the Moniteur to show how it was possible for him to deprive himself of life in the way described. Medical men therefore in London, whatever the physicians and surgeons of Paris may be forced to assert, have no difficulty in declaring openly, unequivocally and positively, that another man or men must have put general Pichegru to death.

April 21.

Our readers will remark, that no answer appears to have been returned by the Swedish Ambassador to M. Talleyrand's letter, transmitting the correspondence attributed to Mr. Drake. We have reason to believe, from a circumstance which we shall state presently, that the Swedish government will not authorise its ambassador at Paris, to imitate the conduct of most of the other ambassadors in that capital. The king of Sweden was at Baden when the Duke D'Enghien was kidnapped: he was on a visit to his father-in-law, the elector of Baden. At the violation of the independence and territory of the electorate by French troops, and at the seizure of the unfortunate prince, he expressed great indignation, and immediately sent over to his ambassador here, Baron De Silverhjelm, a protest, couched in very strong and manly terms, against that infamous and barbarous transaction. The Swedish ambassador has received directions to deliver copies of it to all the foreign ambassadors at the court of London, and we hope to be able to lay it before our readers to-morrow or next day. We understand that it is of considerable length. This protest does the greatest honor to his Swedish majesty. *Courier.*

Yesterday morning, Mr. Sparrow, the messenger, arrived with dispatches from the courts of Vienna and Munich. We understand that he brings advice of Mr. Drake being about to return to Britain from the latter place. *Star.*

It was last night reported at the west end of the town, that Mr. Drake had been given up by the elector of Bavaria, and is now a prisoner in France. We hope this statement is incorrect. *Packet.*

The report was again rumoured yesterday, of an insurrection having taken place in Paris, in which the chief consul is said to have lost his life. It was brought from Morlaix in a ship that left that part on Thursday last. It is certainly premature.

By the Hamburgh mail, which arrived yesterday, we learn, that a great part of Swisserland is in a state of insurrection against the constituted authorities. The absence of the French troops was made the signal of revolt. In the cantons of Berne, Soleure, Argu, Freyburg, &c. the temerity of the insurgents has reached the highest pitch. They every where prevent the people from taking the oath of allegiance to the new constitution. In the night of the 28th ult. some of the disaffected set fire to the Castle of Wadenshweel, on the lake of Zurich; and the last letters state, that the Landemann, unable to resist the torrent, had solicited the return of the French army.

The Journal of Milan, says, the expedition which was intended by the Toulon fleet, is postponed.

The Dutch squadron, in the Texel, it was rumoured this morning, has sailed. Their force there was known to consist of only four line of battle ships, with some smaller vessels, and sixty transports. If this intelligence be correct, we flatter ourselves Admiral Thornborough will give a good account of them.

## *BRITISH HOUSE OF COMMONS*

*April 16.*

MR. DRAKE'S SUPPOSED CORRESPONDENCE.

Lord Morpeth said, that he trusted the House would excuse him for deviating a little from the rules of debate, and particularly as the subject, upon which he would occupy a small portion of its time, was one in which the honour and character of the country were materially involved. He alluded to the foul imputation that had been endeavoured to be cast on the Government and its representative, by a recent publication in a French official paper. To the circumstance of that transaction, he thought it beneath him to advert, as long as they had been confined to the foul and malignant pages of the Moniteur; and while they only tended to demonstrate the rancour of the French Government, he thought it was the best and most dignified course to treat them with silent scorn. But the papers purporting to be a correspondence between the British Envoy Extraordinary at Munich, and a person residing at Paris, have been officially communicated by the French Minister to the different Ambassadors in that city and the honour of a nation has been impeached upon unsubstantiated facts, improbable in their nature, unproved, and, he confidently trusted, not to be proved. To these communications acknowledgements had been made, of some diversity in their tenor, but most of them certainly adopting the sanctioning, in a greater or lesser degree, the foul reproaches that had been cast on the British character; and in the degraded state in which the greater part of the Courts Europe was placed, the Representative of the Court of Russia was the only one of the Diplomatic Body who did in his answer express any doubt of the fact. Some of the Ambassadors to whom that communication was made did certainly go to very extraordinary lengths in their replies to the French Mintster, and such as he should hope would be found to deserve the censure of the different powers they represent. He particularly alluded to the answer of the Representative of a Power who had sprung from the same source with ourselves, whose language was the same, and whose interests, he trusted were not opposed to each other. (A loud cry of hear! hear!) He was sorry to see sentiments so derogatory from the honour of the British character, received with such plient facility, by the Resident of a Power that should have known how to appreciate our national character, in a more friendly and favourable way. He had no motion to make but he thought it incumbent on ministers, either to disavow or exculpate Mr. Drake, and to prove to Europe, and to the world, that they have not " pointed the dagger of the assassin."

The Chancellor of the Exchequer—" Mr. Speaker, I rise to express my unfeigned obligations to the Noble Lord for affording to his Majesty's Ministers an opportunity of repelling the foulest and most infamous charge that has ever proceeded from a Government claiming to be considered as part of the civilized world a charge the most unfonded and diabolical, urged by a government the most sanguinary and tyrannical, for the sole purpose of, I implicitly believe, of giving a color to the commission of crimrs the most henious and atrocious that have ever disgraced and blackcened human nature. As to the imputation that the authors and perpetrators of that foul crime have attempted to throw on His Majesty's Government, it is almost beneath their dignity to condescend to refute it; but I think it my duty to state to this House, and to the civilized world, that no authority has been given, that no instructions have been transmitted to the British Minister at the Court of Munich, to engage in or undertake any thing that was not strictly consistant with the most scrupulous observance of the rights of nations, and what perhaps is paramount to them, the duties of humanity. After having said thus much, I hope it will not be expected of me that I should say any thing more in reply to that false, scandalous and malignant imputation. As to the correspondence to which the Noble Lord has alluded, it it impossible for me to enter upon that subject, until some communication shall have been received from the honourable person who has been so infamously attacked in it—a Gentleman of whose character I, perhaps, think as highly, and am certainly as solicitous as the Noble Lord, or any one in the kingdom can be. I have perfect confidence, that the more the particulars of his conduct are enquired into, the more apparent will be the propriety of it, and the vileness and falsehood of that (as I have the best grounds to suppose) most impudent and infamous fabrication. As soon as His Majesty's Government shall have received the communications they expect from Mr. Drake, the Noble Lord may be assured they will not fail to adopt the most effectual measures for asserting and maintaining the honour of the country. I must again express my obligations to the noble lord, for affording me an opportunity of dispelling the anxiety of the country upon a subject, the honor of its representative, for which they entertain all that laudable jealousy that befits a great and high-minded nation."

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## *TREATY OF FASHION.*

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Articles of a new treaty of peace, executed between the fashion of Paris and the fashion of London.

ART. I. Henceforward there shall be peace and friendship between the Grecian toilet and the British costume; between robes of Crape and robes of India muslin; and between the small pockets of the French and the large pockets of the English ladies.

II. The *pretty foot* of the French ladies shall be received and treated in England on the most handsome *footing*; and the *plump foot* of the English ladies shall cease to serve as a model for the Parisian caricaturists.

III. Englishmen shall be permitted to go to taverns, and drink porter and Madaira, from six in the evening to twelve at night; and Frenchmen shall be allowed to go to theatres, balls, and gaming-tables, from seven in the evening till five the next morning.

IV. It is agreed that the *English* shall preserve their verdant meadows, their blood horses, their invincible navy, and their charming women; and the *French* their fruitful veneyard, luxurious fruits, and elegant fashions.

V. Every Englishman who may wish to cure himself of the spleen, or any other national disorder, shall have free permission to enter *Paris*, and laugh heartily at French levity; provided that when he returns, he makes a faithful report of the *prejudices* of his country against the other, leaving the same behind him at the port from which he may embark.

VI. On the other hand, when a Frenchman, either a learned man or not, shall emigrate to *London*, it is provided, that, on his return, he shall leave behind him all the scandalous anecdotes he may have collected, and shall only be allowed to carry back with him, two pair of English boots, two pair of gloves, a hunting whip, and a couple of thoroughbred harriers.

VII. Agreed, that every Englishman who shall reside at *Paris*, shall not judge of its modest women by courtezans, the manners of the French by their caricatures, the virtue of females by their dress, wit by the books daily published, patriotism by violence or declamation, religion by their lectures, or the innocence of the daughters by the security of their mothers.

VIII. Also, that every Frenchman resident in *London*, shall take the English as they are, and shall not, for their own convenience, presume to effect a change in their manners, dress, or amusements. Moreover, if he shall prevail on a married woman to take a trip into the country, he shall not be offended if her husband be of the party.

IX. And lastly. A mutual allowance shall be made for riciprocal follies; and from the signing hereof, there shall be *no more difference* between a Frenchman and an Englishman, than between an English and a Frenchman,

(Signed)

A BEAU OF THE PALAIS-ROYAL,
*On the part of France; and*

A BEAU OF BOND-STREET.
*On the part of England.*

# The Virginia Gazette.

—RICHMOND—

WEDNESDAY, JUNE 27, 1804.


## RICHMOND PRICE CURRENT.

(CORRECTED WEEKLY.)

| | |
|---|---|
| Tobacco, | 36s to 39s cash. |
| Wheat, | 6s to 7s do. |
| Flour, (superfine) | 36s39 do. |
| Corn, | 30s do. |
| Hemp, (clean) | 50l to 55l do. |
| Iron, | 33l do. |
| Whiskey, | 3s6 to 3s9 do. |
| Bacon, | 7 1-2d do. |

THEATRE.—We are informed that the temporary Theatre, which will open in a few days, under the management of Mr. GREEN, is now undergoing many alterations for the convenience and accommodation of those who may visit it during the present season. The alterations contemplated will render the Theatre airy and commodious. In addition to these, a *ventilator* will be introduced, the *refrigerant* effects of which cannot but contribute to enliven and invigorate those who are fond of the rational and instructive amusements resulting from theatrical representations.

☞ *Preparations for celebrating the 4th of July.*—The Hay-Market Garden and Ball Room will be illuminated in a suitable manner on the evening of the 4th of July, the anniversary of our independence, and music provided for dancing. Admittance for gentlemen, one dollar—no charge for ladies.

Whilst so many millions are appropriated to wards carrying on wars, it is some gratification to peruse in the Moniteur the following:

Recapitulation of the funds appropriated for the year 12 by order of the French Government.

| | *Livres.* |
|---|---|
| For the four new roads opened thro' the Alps. | 2,000,000 |
| Great Bridges. | 1,000,000 |
| The Quais of Bonaparte and Desaix, | 500,000 |
| Repairs of Canals in Belgium, | 500,000 |
| Interior Navigation, | 2,500,000 |
| Maritime Ports, | 5,000,000 |
| The Canal between Degon and Dole or the great Canal of Bourgogne and that of the Rhone and Rhine, | 500,000 |
| Draining the marshes of Rochefort, | 1,000,000 |
| The Canal of St. Quenin, | 2,000,000 |
| The Canal of Arles, | 500,000 |
| The Canal to join the Villaine and the Rauce, | 500,000 |
| The Canal of Blaver, | 500,000 |
| | 15,000,000 |

*(Mer. Adv.)*

*Extract of a letter from a gentleman at Stougton, in the county of Norfolk, (Mass.) to his friend in Boston, dated June 6, 1804.*

"On Monday last, between the hours of eleven and twelve, A. M. we experienced a small shower, accompanied with considerable thunder and lightning. Previous to the shower, when the clouds had not much collected, and the thunder rolling at a distance, we were alarmed with a sudden and tremendous peal, which seemed to burst upon the house over our heads. Most of the family were extremely agitated, and my little daughter was fainting. After attending to her a few minutes, I went out, expecting to discover some effects of the lightning. I examined the house and out buildings, but made no discovery. Soon, however, I cast my eye towards the little thicket of houses near the meeting house, where I observed a collection of people, in apparent commotion. Apprehensive that some person might be injured, but unwilling to leave home, on account of the situation of some of the family, I sent a boy to make enquiry. He returned with the information that Mr. Lewis Johnston was struck with lightning, and supposed to be dead. I immediately ran to the place where he was, (the distance being between forty and fifty rods) and on my arrival was told that he was dead. I found that they had actually closed his eyes, and, as usual were preparing to put on a bandage to support his jaw, which was fallen.—They had sent for Dr. Adams, but he had not arrived. Recollecting to have seen an account of the efficacy of cold water, when applied to persons apparently killed with lightning, I caused a similar application to be made; which succeeded beyond my most sanguine expectations.

A bucket of water was thrown upon him—it was repeated—he soon exhibited signs of life and began to gasp. At this moment the doctor arrived and opened a vein in his arm. The application of cold water was still continued, and not less than six buckets were poured upon him. Symptoms of returning life increased. In about half an hour he spoke; and in an hour walked, with assistance, into the house. Complaining of extreme childness, he was wrapped in flannel and laid on a bed. From the moment of his resuscitation he was exercised with violent pains in his breast, back and limbs, & particularly in his joints. These pains continued without intermission, during the day and following night. But being again bled, and taking cooling physic, the pains, on Tuesday morning, began to abate, and have since continued gradually to decrease. He is now in a state of convalescence, though extremely feeble, and not entirely free from pain. The hair on the back part of his head was considerably singed, his skin in several places burnt, the shoe on his left foot rent in pieces; but his clothes received no injury.

From the facts stated it appears, that the copious application of cold water was the means of divine providence, of rescuing Mr. Johnston from a premature grave, restoring to his family their head and support, and to society a useful member.

The erecting of monuments in commemoration of our departed illustrious GEORGE WASHINGTON, has been in contemplation in many parts of the United States, but without success, because the sums required have generally exceeded the funds contemplated, so much that the object always was dropped. The following extracts from the German (General Literary Journal) may therefore be of use to the citizens, inasmuch as it gives at once an idea of what an Equestrian or Pedestrian Statue, either in bronze, lead, or Italian marble would cost in Europe, viz:

Estimates which were delivered to the Diet of the Empire, by different Artists for a Statue of the Archduke *Charles*.

*Zaunler* demands for an Equestrian Statue, in bronze without pedestal, 400,000 guilders; in lead, with pedestal, 150,000 guilders. *Lanzine*, for a Pedestrian Statue 47,875 guilders. *Denencker*, for a Pedestrian Statue of bronze, 225,000; of marble, entirely plain, 9,000; ornamented, 18,000; and with a temple, from 60 to 80,000 guilders. *Sheffauer & Ysopi*, for a statue without pedestal, 380,000; with pedestal, in marble, 400,000; or for the workmanship alone exclusive of all expences, 36,000 guilders. *Ulrich*, from 50 to 80,000 rix dollars. *Hertel*, 120 to 130 guilders. *Herold*, for an Equestrian statue in bronze, 300,000 guilders.

The guilder is about 40 cents, the rix dollar about 75 cents, United States currency.

*FROM CARR'S "STRANGER IN FRANCE."*

One evening as I was passing through the Boulevant Italian in company with a gentleman from Toulon, we met a tall, dark, hollow, eyed, ferocious looking man, of whom he related the following story.

Immediately after the evacuation of Toulon, by the English, all the principal Toulonese citizens, were ordered to repair to the market place—where they were surrounded by a great military force.

This man, who for his offences had been committed to prison, was liberated by the French agents, in consequence of his undertaking to select those of the inhabitants who had, in any manner, favoured the capitulation of the town, or who had shewn any hospitality to the English, whilst in possession of it. The miscreant passed before the citizens, who were drawn out in lines, amounting to near three thousand. Amongst whom he pointed out about one thousand four hundred persons to the fury of the government; without any evidence, or further examination, they were all immediately adjudged to be shot. For this purpose a suitable number of soldiers were drawn out. The unhappy victims were marched up to their destruction upon the Quay, in setts of three hundred, and butchered.

The carnage was dreadful. In the last of these unfortunate groups, were two gentlemen of great respectability, who received no wound from the fire; but to preserve themselves, dropped with the rest, and exhibited all the appearance of having participated in the general fate.

This execution took place in the evening—immediately after its close, the soldiers, fatigued and sick with cold blooded slaughter, marched back to their quarters, without examing whether every person upon whom they had fired, had fallen a victim to the murderous bullet. Soon after the soldiers had retired, the women of Toulon, allured by plunder, proceeded to the fatal spot. Mounted upon the bodies of the fallen, they stripped the dead and dying. The night was stormy. The moon, emerging from dark clouds, occasionally shed its pale lustre upon this horrible scene. When the plunderers had abandoned their prey, during an interval of deep darkness, in the dead of the night, when all was silent, unconscious of each others intentions, the two citizens, who had escaped the general carnage, disencumbered themselves from the dead, under whom they were buried—chilled and naked, in an agony of mind not to be described, they, at the the same moment, attempted to escape. In their agitation, they rushed against each other. Expressions of the terror and surprise, dropped from each of them. "Oh! God! it is my father!" said one, "My son, my son, my son!" exclaimed the other, clasping him in his arms. They were father and son, who had thus miraculously escaped, and met in this extraordinary manner.

The person from whom I received this account, informed me that he knew these gentlemen very well, and that they had been re-settled in Toulon about two years,

The wretch who had thus directed the ruthless vengeance of a revolutionary banditti, against the breasts of his fellow-citizens, was at this time in Paris, soliciting, from the present government, from a total misconception of its nature, those remunerations which had been promised, but never realised by his barbarous employers.

I need scarcely add, although he had been in the capital several months, he had never been able to gain access to the minister's secretary.

The time of terror was over—the murderer's occupation was gone—the guillotine, with the unsatiated hunger, after having gorged the food which was thrown to it, had devoured its feeder.

The following observations respecting the intercepted correspondence of Mr. Drake, are copied from the London Morning Chronicle:

*"A Fool and his Money are soon parted."*

OLD ADAGE.

"After reading the whole of this correspondence we are satisfied that Mr. Drake's intrigues are of no very great importance. If it be forged as some say, it will of course be disavowed by Mr. D. At present we see no reason to suppose it forged. It is clear enough that Mr. D. either of himself or by the direction of this government, endeavored to maintain some intelligence in France; and he seems to have been willing to assist any description of persons who were desirous to overturn the existing government. There is nothing, however, which can be construed into an assassination plot.

"Nay, it is obvious that Mr. Drake was totally unacquainted with the exsstence of that project in which Georges is supposed to have been engaged. Mr. D. was resolved to work on his own account, and in imitation, no doubt, he shook at France—

"*The fly sat upon the wheel, &c.*

"Indeed, Mr. D. seems to have been strangely ignorant of the views, character, and even the very existence of the discontented associations with which his agent M. D. L had amused him. This M. D. L. had, from his first arrival in Paris, entered into the service of the police, and bamboozled poor Mr. Drake with foolish bulletins, which furnished intelligence that threw him into extacy, and no doubt would have the same effect in the cabinet here when transmitted by Mr. D. M. D. L. to be sure, used Mr. Drake very ill, taking his money and making a fool of him.

"————*Picked his pocket,*

"*Chous'd and caldes'd him like a blockhead.*

"There is, indeed, something ridiculous in the whole of Mr. D's letters; his idle written instructions, his sympathetic ink, and fifty other foppe ries of the same kind. We throw no blame on ministers for trying to get intelligence, but this kind of traffic should be well managed. The Spartans allowed boys to steal, provided they did it adroitly. In the same manner it is proper to employ spies and gain intelligence; but those who do it awkwardly as Mr. Drake, should be whipped like the Spartan youths, if they were detected.

"If the letters published by the French government, be really the production of Mr. Drake, it is not to be wondered at, that our affairs should go ill on the continent. It is scarcely credible, we confess, that any man who is suffered to go abroad without a travelling tutor should have done any thing so uncommonly puerile as this. No human being, however sedate his disposition, and however inflexible his muscles, could read Mr. D's instructions for overturning a government, without laughing outright.

"The grand judge of the French republic, indeed, considers it no laughing matter. The report concludes with a passage, from which it seems manifest that an attempt will be made to get Mr. D. driven from Munich, and our residents expelled, perhaps from every court in Germany.

## *MASSACHUSETTS LEGISLATURE.*

HOUSE OF REPRESENTATIVES,
Wednesday, June 13.

HIGHLY IMPORTANT MOTION.

Mr. Ely of Springfield, after making a few judicious and pertinent preliminary remarks, laid the following motion on the table; which after being read, was assigned for consideration to-morrow, (this day) at 11 o'clock.

Whereas by the constitution of the United States it is provided, that the Representatives shall be apportioned among the several States, according to their respective numbers, which shall be determined, by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons; and further, that for the choice of the President and Vice-President of the United States, each State shall appoint a number of Electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress.

And whereas the said provision, were so manifestly unequal at the time the constitution was formed, that they could have resulted only from the spirit of conciliation and compromise which influenced the Eastern States; because, in consequence thereof a representation of the States is produced, unjust and injurious in its operation, both as it regards the number of free inhabitants in the several States, and their property.

As in a state where the slavery of man is established by law, the slaves have no voice in the elections—but a planter, possessing fifty slaves may be considered as having thirty votes, while a farmer of Massachusetts, having equal or greater property, is confined to a single vote.

And whereas the effect of these provisions, has been rendered still more unequal and injurious, by the course of events, since the constitution was established, by an augmentation of the number of slaves, in the Southern States, and also by an increase of personal property in the Eastern States, arising from the commercial spirit of its inhabitants.

And whereas the said provisions have been rendered more injurious by important political changes, introduced during the present administration, in the purchase of Louisiana, an extensive country, which will require a great number of slaves for its cultivation, and when admitted into the union, agreeably to the cession, will contribute by the number of its slaves, to destroy all the real influence of the Eastern states in the national government, and also in the alteration of the original mode of electing the President of the United States, whereby, in the appointment of that important Magistrate, the weight of the small states (among which are most of the Eastern states, where there are few or no slaves) is greatly diminished.

And whereas the apportiontment of the direct tax, the only compensation proposed by the constitution to the states, not holding slaves, for the aforesaid unequal principle in representation is now merely nominal as the national revenues are, principally, derived from commercial impost, the present administration having repealed the excise laws, which operated in some measure, by a tax on luxuries, to equalize among the several states, the contributions to the public burthens; and having also recently assessed additional millions on commerce, of which the Eastern states must pay much more than their due proportion—so that instead of contributing less than their proportionate share of public expense, as was contemplated by the constitution as a counterpart to unequal representation, they contribute more.

And whereas a union of the states, a measure so important in its consequences, cannot, harmoniously, exist for a long period, unless it be founded on principles, which shall secure to all free citizens equal political rights and privileges in the government, so that a minority may not govern a majority—an event, which, on the principles of representation now established, has already happened, and may always happen.

Therefore to preserve the union of the states upon sound and just principles, and to establish a foundation for general harmony and confidence among all the citizens of the United States, by securing to them now and at all future periods equal political rights and privileges,

*MOVED,*

That the Senators of this commonwealth, in the Congress of the United States, be instructed to take all proper and legal measures to obtain an amendment of the constitution of the United States, so that the Representatives be appointed among the several states according to the number of their Free Inhabitants respectively, and for this purpose that they endeavour to obtain a resolution of two thirds of both houses of Congress proposing such amendment to the legislatures of the several states in the union, and that a committee be raised to bring in a resolve for that purpose.

NEW-YORK, June 16.

JOHN T. GILMAN, Esq. is elected Governor of the state of New-Hampshire by a small majority. On canvassing the votes there appeared

| | |
|---|---|
| For Mr. GILMAN, duly returned and corrected, | 12216 |
| By Piermont, returned, but not counted | 38. |
| By Stratford not returned | 10 |
| Whole number through the state for Mr. Gilman | 12264 |
| Do. for Mr. Langdon | 12161 |
| Amount of votes for both candidates | 24425 |
| Scattering | 27 |

Whole number for Governor through the state 24452 of which 12227 being a majority, Mr. Gilman had 12216, being *eleven* less than a majority of all the votes given.


## Walter Potter,

*BOOK-BINDER & STATIONER,*

Main-street, Richmond,

THANKFUL for the encouragement he has received since commencing business, hopes by his strict attention and faithful execution of all orders which he may be favored with, to merit a further continuance of patronage.

He has lately received a fresh supply of STATIONARY, and has now on hand a large assortment of blank and ruled books.

Merchants' accompt books ruled to any pattern, and BOOK-BINDING in its various branches executed with neatness, accuracy and dispatch.

*June 26.* tawtf.

## A Runaway in the City Jail.

A NEGRO man about 47 or 8 years of age, and nearly 6 feet high, was lately committed to jail as a runaway, by the name of *Ignatius Butler*, with a counterfeit free paper. He says his real name is *William Stewart*, and belongs to the representatives of Mr. Richard Craven of Rockingham county, near Henry Miller's iron works. Mr. Craven bought him of William Waters of Madison county. He says Mr. Craven, in a speculating trip to the Jersies about 16 years ago, died there of the small pox. It was at this time he eloped from his master's service, and has been travelling about in this state and Maryland ever since in the several occupations of millwright, carpenter and shoemaker—in the two last he was chiefly employed while with craven. Mr. Craven left two sons, *Michael* the elder, and *William*. Michael had very red hair, and he believes they are both alive in Rockingham county. He further says that his master was intimately acquainted with Maj. M'Dowell, a magistrate who lived within seven or 8t miles of him. The representatives of Craven are requested to come for him, and proving their claim to him, he will be delivered upon payment of fees and this advertisement, by

WILLIAM ROSE, Keeper City Jail.

Richmond, June 20, 1804.

## Doctor Wilson,

HAS taken as a temporary residence the house lately occupied by Doctor Adams, opposite the Bell Tavern, and intends to continue the Apothecaries business, with the practice of Physic. He is now opening a part, and expects by the next arrivals from Philadelphia, the balance of a fresh and very general assortment of Medicines, and other articles in the Apothecaries line, which will be sold on the lowest terms. Orders from the Country and Recipes will be carefully attend to.

Richmond, June 25th, 1804. taw6m:

## WASHINGTON TAVERN,

BY

## James Edmondson.

THE subscriber having added largely to his house and stables, has it now completely in his power to entertain any number of LADIES and GENTLEMEN that may think proper to call on him, being well supplied with the best liquors that could be procured from Gordons's stock in Richmond, and in every respect better prepared to accommodate company than he has ever been since he has lived in Staunton. As some person living on the road to Charlottesville, last summer not so friendly to him as they might be, and knew of no other way they dare attempt to injure him, fell upon the low and pitiful plan of informing strangers that they could not be accommodated at his house in consequence of his being so much crowded, when they knew nothing of the company that were with him at the time. The report must have been circulated from a bad heart, for it is well known he has never turned off genteel company for want of room.

He also informs the public that there is a MAIL STAGE that runs from Richmond to Staunton once a week, and stops at his house; that he will keep a hack, a pair of horses and an excellent driver, for the accommodation of company that travel in the stage to this place and may wish to visit any of the Springs this season.

Staunton, June 16, 1804.

## To Rent,

*And possession given immediately,*

A CONVENIENT and pleasantly situated DWELLING-HOUSE, with two Kitchens and Smoke-House, on the street leading from Shockoe Creek to the Canal Basin, and adjoining the lot and dwelling-house of Mr. William Mitchell.

Also, to rent, two BRICK TENEMENTS, on the street leading to Col. Mayo's Bridge, which will be very convenient for wholesale and commission merchants. Possession of these two Tenements will be given when finished, which is supposed will be in all next month. The terms will be made known by JAMES INNES.

Richmond, June 7th, 1804.

## 4439 Acres of valuable

# LAND,

IN the south of Kentucky, the greater part Military, will be sold for good bonds or exchanged for property in the state of Virginia. Enquire of the Printer hereof.

December 26th, 1803.

## For Sale,

A VERY valuable tract of *LAND*, in Frederick county, Virginia, bordering with rich low ground, on the Shenandoah river, just above Berry's Ferry.

This land may be purchased all together, or in small parcels from 50 to 250 acres. The terms of payment are, one fourth on the first of January next, when possession will be given; the remainder in three equal annual payments, to carry interest from that day: approved security will be required. Apply to the subscriber, who will be in Frederick, the months of May and October next—the intermediate time in Amherst county.

Thomas Massie.

March 19th, 1804. 3m.

## Just Received,

*And for sale by the subscribers, a large assortment of the following Articles, which will be sold very low for cash, or on a short credit for approved acceptances in Richmond—viz.*

A large assortment of Calicoes and Chintzes.
A ditto Cotton Cambricks, plain, figur'd and black.
A ditto Silks and Florentines and Silk Keens.
Cotton and Silk Stockings.
Silk and Cotton Umbrellas and Parasols.
Black, blue, yellow and striped Nankeens.
Laces, Edgings and Ribbons.
Tambour'd Lace and Lappet Muslins.
Silk Gloves, of all colours.
Men, Boys and Children's Hats.
Cotton, Cassimeres and India Cotton.
Brown Holland and Durants.
Romals, Handkerchiefs, Dimities, &c. &c.

Block & Judah.

April 25th, 1804.

(*BY AUTHORITY.*)

## Scheme of a

# LOTTERY,

*To build an Academy in the city of Richmond.*

| | | | | Dollars. |
|---|---|---|---|---|
| 1 | Prize—last drawn ticket, having a blank to its number, | | | 20,000 |
| 1 | do. | | | 10,000 |
| 1 | do. | | | 5,000 |
| 5 | do. | of 1,000 | make | 5,000 |
| 6 | do. | of 500 | —— | 3,000 |
| 10 | do. | of 200 | —— | 2,000 |
| 20 | do. | of 100 | —— | 2,000 |
| 100 | do. | of 50 | —— | 5,000 |
| 250 | do. | of 30 | —— | 7,500 |
| 420 | do. | of 25 | —— | 10,500 |
| 1,500 | do. | of 20 | —— | 30,000 |
| 3,000 | do. | of 15 | —— | 45,000 |
| 1 | first drawn ticket after 1,000, having a blank to its number, | | | 250 |
| 1 | do. | after 2,000 | do. | 250 |
| 1 | do. | after 3,000 | do. | 250 |
| 1 | do. | after 4,000 | do. | 250 |
| 1 | do. | after 5,000 | do. | 500 |
| 1 | do. | after 6,000 | do. | 500 |
| 1 | do. | after 8,000 | do. | 500 |
| 1 | do. | after 10,000 | do. | 500 |
| 1 | do. | after 12,000 | do. | 500 |
| 1 | do. | after 13,000 | do. | 500 |
| 1 | do. | after 14,000 | do. | 1,000 |
| 5,325 | Prizes, | | | 150,000 |
| 9,675 | Blanks—not two to a Prize. | | | |
| 15,000 | Tickets at 10 Dollars each, | | | 150,000 |

N. B.—Prizes subject to a deduction of 15 per cent.

This Lottery has been authorized by the Legislature of Virginia, for the laudable purpose of erecting a seminary of learning in or near the metropolis of this state. With this view it is contemplated to raise 20,000 dollars, and 2,500 dollars in addition, for defraying the expences attendant on drawing the Lottery. Citizens of the first respectability have been selected as trustees, and they have pledged themselves to use their utmost exertions to carry it into effect. The scheme has the advantage of giving to each adventurer, a chance for some very large prizes, whilst the proportion of prizes to blanks, is so great as to invite the friends of the intended Institution to partake of the lottery, with little risk of their becoming losers. The treasurer of the state is to be appointed to receive the money for the tickets as they are sold, and to pay the amount of the prizes to the fortunate adventurers. It is believed that the above considerations will induce a rapid sale of tickets, and the drawing will commence as soon as a sufficient number shall be sold to authorize it—which it is believed will be on the second Monday in December next.

Richmond, January 31, 1804. tf.

*** TICKETS to be had of Robert Pollard, Dr. John Brockenbrough, jun. Wm. Price, (Reg.) Samuel Pleasants, jun. and William Prichard.

## GILLIAT & KIRBY,

Have just received, by the late arrivals from London and Liverpool,

A GENERAL ASSORTMENT OF

# SPRING GOODS,

WHICH are now opening, and will be sold at their usual low prices, for Cash or Country Produce.

Richmond, May 8, 1804.

## FAMILY FLOUR.

A CONSTANT supply of FLOUR, of a superior quality, for family use, kept for sale by

GEORGE WATT.

Richmond, March 5, 1804. tf.

## Richard Smyth,

FORMERLY OF THE CITY OF RICHMOND,

INFORMS his friends and the public, that he is now settled in New-York, in the

*Wine, Liquor and Commission Line,*

And offers his services to transact business at that place. He is ready to receive produce of every description, and to make liberal advances, either in cash or by procuring and forwarding such goods as may be required in return; and is now provided with *fire proof* Stores, Cellars and Vaults, in a very eligible situation in New-York, for sales and commission.

Richmond, May 4, 1804. tf

MESSRS. *Pickering, Snell*, and two other persons, of the name of *Gale*, supposed to be residents of the state of *South Carolina*, or *Georgia*, who went to *Baltimore*, some time in July or August last, to purchase *Slaves*, are desired to take NOTICE that BEN, who they bought of *Abraham Ware* of *Hartford county* in *Maryland*, is now in the *Jail* of this *city*, as a *Runaway*. He formerly belonged to *Peter Poteet* of *Baltimore*, and afterwards to a Mr. *John Street* of *Hartford county*, who sold him to Mr. WARE. He is a stout, active, strong, well looking very black man, of about 26 or 27 years of age, and 5 feet 8 inches high. He says that, in September last, he and about 25 or 30 others were landed out of a schooner, at *Smithfield* on *James River*, and marched by the above persons, into South Carolina and Georgia, and that *Pickering* sold him somewhere about 50 or 60 miles on the other side of the South Carolina line to a farmer of the name of HOLBERT, who owned a mill. He staid but a few days with his new master before he set off to the *Northward*, under the assumed name of *Bob Benfield*. The subscriber has received a letter from a gentleman in Baltimore corroborative of the above, and who has known him some years. His owner is requested to come, or send for him, and on producing such credentials as the law requires, will be delivered on payment of fees and this advertisement, by

William Rose.

Richmond, Jan. 13, 1804. tf

## Spring Goods.

WILLIAM TEMPLE,

Has received by the ship Rebecca, from London, and the Yorkshire, from Liverpool,

AN ASSORTMENT OF

# GOODS,

Suitable to the season, which he will dispose of on the usual terms.

Richmond, May 8, 1804.

## Spring Goods.

ROBERT GAMBLE & SON,

Are receiving by the ship *Little William*, from Liverpool, and other arrivals from Europe,

*Their Spring Assortment of*

# MERCHANDIZE.

THEY are also supplied with East and West India Goods; all of which they offer for sale on moderate terms, for Cash, merchantable Produce or on the usual credit to *punctual* customers.

They continue to receive on *Storage*, and to sell on *Commission*, Flour, Tobacco, and other Country Produce; and flatter themselves their conduct will continue to merit general approbation.

Richmond, May 15th, 1804.

## Forty Dollars Reward.

RUN away from the subscriber, on Sunday the 8th of April, 1804, two Negroes, viz—PHILL and CHLOE his wife. Phill is between 30 and 40 years of age, 5 feet and a half high, of a thin visage, and moderately spare, has thick and pouting lips, looks sullen or angerly, has rather a hoarse and lazy kind of voice or speech, has a scar on his upper lip, and his left arm has been broke. He is of a black complexion, understands ditching, but work slow in consequence of his arm having been broke. Chloe is a large well made woman, and of a brighter complexion, about the same age of Phill, has no mark that I recollect. These two Negroes were purchased from the estate of Col. John Gordon, dec. I will give the above reward to any person who will deliver them to me at Lancaster court-house, or secure them in any jail so that I get them again, or 20 dollars for either.

Leroy Nutt.

*April* 20, 1804.

## TO BE LET,

ON building leases, three beautiful, airy & elevated situations for Dwelling Houses. To any gentleman in the mercantile line, or other occupation, who wishes a pleasant and agreeable residence for his family, either of these sites would be truly desirable, as they are contignous to the scene of active business, while they are at the same time removed from the dust and noise of the city. Enquire at the office of this Gazette.

April 23, 1804.

☞ An experienced, sober and attentive GARDENER will hear of an advantageous situation, on application as above.—None of opposite character need apply.

## SALES AT AUCTION.

*On Wednesday the 27th instant, for approved indorsed Notes at 90 days,*

TWO PIPES OF OLD TENT WINE,

*I. H. No. 8 & 9. Brand, Alder.* (*Marked*)

SHIPPED by Charles Alder & Co. of Madeira, in the Roborcus, Alexander Milliken master, for Norfolk, and charged at £70 sterling per pipe. The Wine is now lying in the cellar of Mr. William Wiseham, and will be there sold to the highest bidder for account of the shippers:

THOMAS TAYLOR & Co. v. m.

Richmond, June 13th, 1804.

## ELLIS & ALLAN,

Have received from London, Liverpool and Bristol, a neat and valuable assortment of

# SPRING GOODS.

The London *Critical Review*, or *Annals of Literature*, from the year 1791 till 1803, bound in boards, 39 vols. and 30 Numbers of *Ladies' London Magazines*.

June 12th, 1804.

## NOTICE.

THAT a petition will be presented to the next General Assembly of Virginia, praying for an amendment or repeal of an act passed at their last session, entitled, "An act for improving the navigation of James River."

Richmond, May 28, 1804.

## NOTICE.

THE drawing of the LOTTERY for the benefit of William and Mary College has been postponed, on account of unforeseen circumstances, until the 2d *of July*; on which day, the commissioners have determined, that *it shall certainly commence*. Those who are desirous of purchasing Tickets will, no doubt, avail themselves of the intermediate time.

Gentlemen, who have been so friendly to the interests of the College as to undertake the disposal of Tickets, are hereby *particularly requested* to forward, without delay, to the subscriber, or any other of the commissioners, a list of the Tickets sold, and of those remaining on hand. They are also requested to pay the money, which they have received for Tickets sold, to either of the following gentlemen, viz.—George Tucker, of Richmond; Watkins Leigh, of Petersburg; Littleton Waller Tazewell, of Norfolk; Hugh Mercer, of Fredericksburg; or Robert Greenhow, of Williamsburg.

Signed by direction of the Commissioners,

J. MADISON, Chairman.

William & Mary College, June 2d, 1804.

*At a Court of Appeals held at the Capitol in the city of Richmond, the 21st of May*, 1804.

ORDERED, that the following rules be published in the Richmond gazettes for one month.

November 18th, 1803.

Rule.—In all cases whether of appeal, writ of error, or otherwise, the court will proceed to a hearing at the term to which such case shall be returned, or sent up, unless good cause shall be shewn to the contrary.

May 15, 1804.

Rule.—A clear and concise state of the case of each party in an appeal, writ of error, or supersedeas from a decree of the high court of chancery, or any district court in chancery, or from a judgment of the general court, or any district court in which a demurrer, special verdict, case agreed, demurrer to evidence, bill of exceptions, or point reserved, shall constitute a part of the record, or exhibits in the cause, with the points insisted on, signed by his counsel and printed, or fairly transcribed, the expence whereof shall be taxed in the bill of costs, shall after the end of this present term, be delivered to each judge, time enough before the hearing of the cause, and that no error, other than such as shall be pointed out, and insisted on in such statement, on the part of the plaintiff or appellant, shall be (without leave of the court) admitted as a ground for argument on the hearing of the cause, or for reversal of the decree or judgment sought to be reversed. And that all depositions and exhibits, accounts and articles intended to be relied upon, or objected to in the argument, be particularly noticed in such state, and recited, and a reference thereto in the official copy of the record in the cause made.

May 21, 1804.

Rule.—That after the end of this present term, all causes depending in this court, which shall be ready for hearing, in pursuance of the rule of this court, made on the 15th day of this present month, shall, unless good cause be shewn to the contrary, be heard in the same order in which they stand on the docket.

*Teste,*

J. Brown.

Richmond, June 15, 1804.

OUR clients in the Court of Appeals will perceive that the foregoing orders require particular duties, expences and attention, which were not expected, when we were retained by them. As we cannot fail to comply with these requisitions of the court, without danger to their interest, and the rule that causes shall be tried according to their standing on the docket, renders it necessary that we should be constantly present, and ready for the argument—we trust that our client's will see the propriety of an adequate compensation for our services.

PHILIP NORBORNE NICHOLAS.
EDMUND RANDOLPH.
JOHN WICKHAM.
GEORGE HAY.
DANIEL CALL.
JOHN WARDEN.

FOR SALE,

## A Tract of Land,

LYING in the North Garden, in Albemarle county, containing one thousand acres, adjoining the lands of Stephen Moore, William Wood, and the late William Cole, dec. within eighteen miles of Warren, and the same distance of Milton.—There is on this land a new Barn, 48 by 24 feet, a good Overseer's House, & houses for the accommodation of fifteen or twenty Negroes—The overseer's house, with a little expence may be rendered very comfortable for a small family. About half the land is cleared, and the greater part of which is in good order for cultivation, and a considerable part of it fresh and well adapted to the culture of corn, wheat and tobacco.

Any person inclined to purchase, by application to the overseer on the premises, will be shewn the land. The terms of sale will be one fourth part of the purchase money paid on the 1st day of June, 1805, and the balance in three equal annual payments from that day, each instalment to carry interest from the day of sale, if not punctually paid.—Bond with approved security, together with a deed of trust on the land, will be required of the purchaser, to secure the payment. For further particulars apply to the subscriber, living at Scotch-Town, in Hanover county.

If the above land is not sold before, it will be offered at PUBLIC SALE to the highest bidder, on the terms before mentioned, on the 23d day of August next, if fair—if not, the next fair day. In either case, the purchaser will have leave to seed wheat as soon after that time as he may choose—and may be furnished with the crop of corn, &c. that may be made on the plantation this year, say from two to three hundred barrels.

John M. Sheppard.

*Scotch Town, May* 30, 1804. *t23A.*

☞ *The survey by which the turnpike road from Staunton to the Point of Fork, is to run, goes immediately through the above mentioned land, convent to a handsome situation for building, and good water.*

J. M. SHEPPARD.

## Stafford Gibbs,

*TAYLOR,*

RESPECTFULLY informs his Friends and the Public, that he has removed his shop one door above the City Hotel, where he intends carrying on the business in all its branches. He hopes by his strict attention, to merit the patronage of all those who may favor him with their custom.

Richmond, March 23, 1804. 2awtf.

## The Subscriber

Has just received from Philadelphia and New-York, the following

# GOODS,

Which will be sold low for Cash, Country Produce, or approved Acceptances at 60 or 90 days:

Muscovado Sugar and green Coffee, of a superior quality.
Double and single refined Loaf Sugar.
Old Antigua, Jamaica & and W. I. Rum.
Cognac and Apple Brandy.
Hollands Gin.
Caldwell Frasure & Co's. superfine Chocolate.
Dixon's Mustard in boxes of 6 doz.
Pepper, Ginger, Pimento and Nutmegs.
Mace and Cloves.
Fresh Oil, Olives and Capers.
Martinique, Noyau and French Cordials.
Box Raisins and soft shell Almonds.
Copperas, Madder, Allum, Brimstone, and ground Ginger, in small kegs.
Logwood Turkey Cotton.
Spanish and Bengal Indigo.
New-York Candles and Soap.
Dutch Cases with plain and gilt Bottles.
Sherry Wine, of a superior quality.
London Bill Madeira, warranted 4 & 7 years old.
China Bowls from pint to six quarts.
Tea and Coffee Cups and Saucers.
Cut & plain Lemonades.
Cut Jelly Glasses.
Salvers, half pint, quart, half gallon and gallon Tumblers.
Gunpowder, Imperial & Young Hyson Teas.
Patent Shot, assorted
Hamilton & Son, and Thomas Leiper's Snuff.
Patent night Lamps.
Writing and Wrapping Paper.
Spelling Books & Primers.
Sole Leather and Calf Skins.

Also, received from Bristol, by the ship Olive Branch,

*Earthen and Stone Ware.* *Double Gloucester and Brick Cheese, in crates.*

JAMES FISHER.

Richmond, June 1st, 1804 6t.

## SLATE QUARRIES!

THE late distressing fire in Norfolk, as well as several others in other large and wealthy commercial towns (which no doubt will incline the sufferers in houses, to seek for covering in rebuilding, the most secure against the external approaches of that, too often dreadful element) induces the subscriber once more to offer for sale, his

*SLATE QUARRIES;*

Lying on James River, near the mouth of Slate River, about fifty miles above the city of Richmond.—The quality of this Slate, the subscriber ventures to affirm, has never been surpassed by any yet discovered: and the quantity will not be doubted, when viewed by any one a judge in that article. The situation of these Quarries, immediately on navigable water, and their scarcity in other quarters, particularly in similar situations, giving almost the entire monopoly in this country to their owner, render them an object worthy the attention of the enterprizing and industrious.—They may be had for any kind of secure and productive paper or other property—as the subscriber's situation and the other avocations render it inconvenient for him to attend to their working—But, should they not be immediately disposed of in the manner proposed, which he confesses he would prefer for the reasons assigned, the subscriber proposes working them to a considerable extent, as soon as suitable workmen can be obtained from the northern states—when he entertains not the slightest doubt (from the circumstance of the navigation from the very quarries) he will be able to furnish Slate at a much cheaper rate than that article is now brought from Europe, or can possibly be furnished from any part of this country, where any land-carriage is to be employed.

JOHN NICHOLAS.

Albemarle, June 16, 1804.

*Mr. Prichard, who has seen the above Quarries, and is a judge of that article, will give any information and his opinion respecting them, to any one inclined to treat with the subscriber.*

*In pursuance of the direction contained in the annexed 6th section of the act, entitled, "An act for incorporating the Bank of Virginia," the undersigned commissioners in and for the city of Richmond, do hereby give notice, that*

THE sum of three hundred thousand dollars has been actually received on account of the capital stock of the said bank—and that Thursday the 5th of July ensuing, is the day appointed for proceeding to the choice of directors—on which day the stockholders are requested to meet at the capitol, at ten o'clock, for that purpose.

E. CARRINGTON.
ROBERT POLLARD.
GEO. JEFFERSON.
PHILIP NORBORNE NICHOLAS.
THOMAS RUTHERFOORD.
BENJAMIN HATCHER.
JAMES F. LEITCH.

June 21, 1804. t5July

Sec. 6. *And be it further enacted*, That on the first day of June next, and every thirty days thereafter, if the subscription shall not be sooner closed, the commissioners appointed at Norfolk, Petersburg, Fredericksburg, Winchester, Staunton and Lynchburg, shall respectively transmit and deliver to the commissioners appointed in and for the city of Richmond, a list of the several subscribers, at such places respectively, and of the share or shares to each and every subscriber belonging, together with the full amount of subscription money by the commissioners respectively received as aforesaid; for which amount the receipt in writing of the said commissioners appointed in and for the city of Richmond, or of a majority of them, shall be a sufficient acquittance and discharge to the persons respectively paying the same. And as soon as the sum of three hundred thousand dollars, in the manner aforesaid shall be actually received on account of the subscription to the said capital stock of the said bank, notice thereof shall be given by the commissioners appointed in and for the city of Richmond, or a majority of them, in at least two public gazettes, printed in the said city of Richmond; and the same persons shall at the same time, notify a time and place within the said city, at the distance of twenty days from the time of such notification, for proceeding to the choice of directors; and it shall be lawful for such election to be then and there made; and the fourteen persons who shall then and there be chosen, together with the Treasurer for the time being, shall be the first directors, and shall be capable of serving until the first Monday in January thereafter, by virtue of such choice, or until their successors shall be duly elected: and the said directors shall forthwith, thereafter, commence the operations of the said Bank, at the city of Richmond.